Attachment H

Proposal #2001- E 214 (Office Use Only)

PSP Cover Sheet (Attach to the front of each proposal)

Proposal Title: Franks Tract/Decker Island Wetland Habitat Restoration - Next Phase
Applicant Name: California Department of Water Resources
Contact Name: Curt Schmutte
Mailing Address: 3251 S Street, Sacramento, CA 95816
Telephone: 9161227-7567
Fax: 9161227-7600
Email: Schmutte@water.ca.gov

Amount of funding requested: $ 16,651,604
Some entities charge different costs dependent on the source of the funds. If it is different for state or federal funds list below.
State cost _____ Federal cost _____

Cost share partners? X **Yes** **No**
Identify partners and amount contributed by each California Department of Water Resources, Delta Flood Protection Program - $4 million

Include the Topic for which you are applying (check only one box).

- ☐ Natural Flow Regimes
- ☐ Nonnative Invasive Species
- ☐ Channel Dynamics/Sediment Transport
- ☐ Flood Management
- ■ Shallow Water Tidal/Marsh Habitat
- ☐ Contaminants
- ☐ Beyond the Riparian Corridor
- ☐ Local Watershed Stewardship
- ☐ Environmental Education
- ☐ Special Status Species Surveys and Studies
- ☐ Fishery Monitoring, Assessment and Research
- ☐ Fish Screens

What county or counties is the project located in? Contra Costa and Solano

What CALFED ecozone is the project located in? See attached list and indicate number. Be as specific as possible 1.4 - Central Delta

Indicate the type of applicant (check only one box):

- ■ State agency
- ☐ Federal agency
- ☐ Public/Non-profit joint venture
- ☐ Non-profit
- ☐ Local government/district
- ☐ Tribes
- ☐ University
- ☐ Private party
- ☐ Other: _____

Indicate the primary species which the proposal addresses (check all that apply):

- ■ San Joaquin and East-side Delta tributaries fall-run chinook salmon
- ■ Winter-run chinook salmon
- ■ Spring-run chinook salmon
- ☐ Late-fall run chinook salmon
- ■ Fall-run chinook salmon
- ■ Delta smelt
- ■ Longfin smelt
- ■ Splittail
- ■ Steelhead trout
- ■ Green sturgeon
- ■ Striped bass
- ☐ White sturgeon
- ■ All chinook species
- ■ Waterfowl and Shorebirds
- ■ All anadromous salmonids
- ■ Migratory birds
- ☐ American shad
- ☐ Other listed TIE species: _____

Indicate the type of project (check only one box):

- ☐ Research/Monitoring
- ☐ Watershed Planning
- ■ Pilot/Demo Project
- ☐ Education
- ☐ Full-scale Implementation

Is this a next-phase of an ongoing project? Yes X No _____

Have you received funding from CALFED before? Yes X No _____

If yes, list project title and CALFED number Franks Tract Wetlands Habitat Restoration Project 97-N 12

Have you received funding from CVPIA before? Yes _____ No X

If yes, list CVPIA program providing funding, project title and CVPIA number (if applicable):

_____

By signing below, the applicant declares the following:

- The truthfulness of all representations in their proposal;
- The individual signing the form is entitled to submit the application on behalf of the applicant (if the applicant is an entity or organization); and
- The person submitting the application has read and understood the conflict of interest and confidentiality discussion in the PSP (Section 2.4) and waives any and all rights to privacy and confidentiality of the proposal on behalf of the applicant, to the extent as provided in the Section.

Curt Schmutte

Printed name of the applicant

Curt Schmutte

Signature of the applicant

B. EXECUTIVE SUMMARY

Project Title: The Franks Tract/Decker Island Wetland Habitat Restoration – Next Phase

Amount Requested: $16,651,604

Applicants Name: California Department of Water Resources, Flood Protection and Geographic Information Branch

Primary Contact: Curt Schmutte, Chief Flood Protection and Geographic Information Branch Telephone 916/227-7567, Fax: 916/227-7600, E-mail: schmutte@water.ca.gov

Participants and Collaborators: California Department of Parks and Recreation, Ron Brean, Gold Rush District Superintendent,101 J Street, Sacramento, CA 95814. Telephone: 916/445-7373

California Department of Fish and Game, Ed Littrel, Project Manager, Delta Flood Protection Program, 1701 Nimbus Road, Rancho Cordova, CA 95670. Telephone: 916/358-2924

Technical Support: Engineering - Moffat & Nichol Engineers. Environmental - Jones & Stokes

Project Description: The Franks Tract/Decker Island Wetland Habitat Restoration project will create four islands at Franks Tract using available borrow material from Decker Island (see Exhibits 1a through 1c for the proposed location of the islands within Franks Tract). Removing the material from Decker to construct 45 acres of habitat islands in Franks Tract will result in 20 acres of restored wetland habitat at the borrow site on Decker Island. This project presents a unique opportunity to create two tidal wetlands projects from one earth moving operation. This proposal is for the construction, construction management, pre- and postconstruction monitoring of the demonstration islands in Franks Tract, and restoration of tidal wetlands habitat on Decker Island.

The primary biological/ecological objectives are to create habitat for CALFED priority species by restoring existing open water, flooded habitat at Franks Tract to a combination of shallow tidal perennial and intertidal habitat, fresh emergent tidal wetlands habitat, and midchannel islands and shoal habitat. The primary ecological objective on Decker Island is to restore 20 acres of existing weedy non-native habitat to aquatic, tidal wetlands, riparian, and upland habitats, The priority species that will benefit from this project include San Joaquin River fall-run chinook salmon, winter-run salmon, spring-run salmon, Delta smelt, splittail, striped bass, steelhead trout, and migratory birds.

The objectives of the project have been specifically designed to achieve CALFED's objectives in the Delta, and the project is consistent with SB34/AB360 and CALFED levee System Integrity Program and habitat enhancement goals. The proposed biological monitoring program is compatible with CALFED's Comprehensive Monitoring, Assessment and Reporting Program and will continue to reflect current knowledge and linkages between restoration activities, ecosystem enhancement, and productivity.

C. Project Description.

1. Statement of the Problem

a. Problem and Objectives. Within the central Delta there has been a severe loss of freshwater, wetlands, and shallow water habitats that are utilized by threatened or endangered species. The primary project objective is to enhance the ecosystem through creation of up to 45 acres of islands that restore shallow water habitat features of the ancestral Delta at Franks Tract and restoration of the 20-acre borrow site at Decker Island. The project includes conversion of existing subtidal habitat to tidal, emergent wetlands and riparian habitats to benefit priority special-status species found in the Delta and conversion of existing weedy habitat to aquatic, tidal wetland, riparian, and upland habitats. Secondary project objectives include:

- demonstrate how to protect existing levees from wind and wave erosion while also enhancing or creating habitat features for key species and restoring ecosystem functions;
- document and apply methods and opportunities for the beneficial reuse of dredge materials;
- apply and compare multiple planting and restoration techniques that test colonization and succession regimes, provide preferential benefits to native vs. invasive species plant, and that seek to provide maximum habitat value to target fishery resources;
- create permanent and stable features with minimal maintenance and operations costs;
- demonstrate engineering design concepts and construction techniques that may be applied to future restoration actions;
- provide recreational opportunities incidental to primary purpose for habitat creation; and
- demonstrate cost-effective methods to implement DPR's general plan recommendations for habitat creation and restoration of historical Delta conditions in the open water environment of Franks Tract.

This is a continuing project, seeking next-phase funding for the construction, construction management, and pre- and postconstruction monitoring and research for the demonstration islands in Franks Tract, and for restoring tidal wetlands habitat on Decker Island. California Department of Parks and Recreation (DPR) is the lead agency with sponsorship provided by the California Department of Water Resources (DWR). DWR will lead the project's construction phase.

b. Conceptual Model. The Franks Tract/Decker Island restoration project is to initiate restoration actions and to implement a demonstrate project to show how shallow water habitat can be created in the open water environment, how engineering techniques and ecosystem restoration concepts can be combined to provide stable and sustainable habitats while protecting levee systems subject to wind and wave erosion, how independent efforts can be creatively integrated to meet multiple objectives, and how dredge spoils materials may be beneficially used.

The project seeks to demonstrate that the ecosystem can be enhanced through creation of ancestral Delta features, including conversion of existing subtidal habitat to shallow tidal perennial and intertidal habitat, fresh emergent tidal wetlands habitat. and midchannel islands and shoal habitat within Franks Tract and through the conversion of 20 acres of existing weedy

non-native vegetation to aquatic, tidal wetlands, riparian, and upland habitats at Decker Island. The benefits are targeted towards priority special-status species found in the Delta (delta smelt, chinook salmon [winter, spring, and late-fall runs], splittail, longfin smelt, steelhead trout).

c. Hypotheses Being Tested. One of the CALFED goals is to increase the amount of shallow-water habitat available in the Delta for special-status species. Specific hypotheses to be tested include the following:

- Clean dredged materials can be used to create stable island features with substrates that support colonization by native plant and fish species.
- Feasible design concepts, cost effective construction methods, and engineering techniques exist to allow for restoration of shallow water habitats in open water environments.
- Planting and restoration techniques exist that favor native species over invasive species.
- Shallow water habitat can be created in open water environments and self-sustaining habitats can be developed that need little human intervention once established.
- It is possible to develop stable shallowwater habitat sites in open channel areas that have continuity and connection to fluvial processes of the Delta.

Goals and uncertainties to be addressed include:

- **Goal 1 - At-Risk Species.** The project seeks to improve habitat and ecosystem function for delta smelt, longfin smelt, green sturgeon, splittail, Chinook salmon, steelhead trout, three Priority Group II species, two Priority Group III species, six Priority Group VI species, and five harvested species. Through monitoring we will gain additional information about how these species respond to the ecosystem created, the rates of colonization, and utilization and value at the various stages of life.
- **Goal 2 - Ecosystem Processes and Biotic Communities.** The islands constructed at Franks Tract and the wetland habitat created at Decker Island will create selfsustaining biotic communities and the projects will demonstrate how restoration techniques will minimize the need for long-term maintenance and management.
- **Goal 3 - Harvestable Species.** The islands and habitat constructed may also provide benefit to the harvestable species, and the relationship between these species and listed or threatened species will be evaluated.
- **Goal 4 - Habitats.** The project will restore or create tidal perennial aquatic habitat, delta sloughs, mid-channel islands, fresh emergent vegetation, freshwater fish habitats, and essential fish habitats. Aesthetic values will be increased in a high traffic recreation area.
- **Goal 5 - Non-Native Invasive Species.** Pre- and postconstruction monitoring and multiple planting restoration protocols will be tested to address uncertainties related to plant succession and colonization, competition between native and nonnative species, and use of created habitats by other key fish species.

d. Adaptive Management. This is a next phase funding request for the full scale restoration project that also has a pilot and demonstration component. Monitoring of both engineering and ecosystem restoration elements is included in the project design and implementation plan to document techniques for creating new habitat or enhancing existing habitat for CALFED

targeted species. Engineering design is at the 60% level of completion. The original design concept is by Moffatt & Nichol Engineers (MNE), with ecosystem and restoration design elements being developed by Jones & Stokes. The knowledge gained will have long-term value and utility to future restoration efforts in open-water environments, to protect levee systems, and to beneficially utilized dredge materials to meet multiple objectives.

e. Educational Objectives. Not Applicable

2. Proposed Scope of Work

a. Location and/or Geographic Boundaries of the Project. As shown on Exhibit la, the proposed project is located at the Franks Tract State Recreation Area (SRA) owned by DPR in Contra Costa County. The SRA consists of 3,300 acres in two flooded Delta Tracts, Franks Tract and Little Franks Tract. Submerged by levee breaks in the late 1930s, before its acquisition by the State, the area is bordered by remnant levees and is accessible only by boat. The 20-acre restoration site on the northern tip of Decker Island is contained within 33.2 acres of land owned by the California Department of Fish and Game in Solano County.

b. Approach. The engineering feasibility studies included extensive bathymetry, hydrographic, topographic and geophysical field surveys and analyses of wind and wave conditions, tidal hydraulics, and sediment transport (Moffatt & Nichol Engineers 1990 a, b, c, d, e; 1991). Early feasibility studies conducted by DPR (Moffatt & Nichol Engineers 1991) resulted in a preliminary design and specific recommendation for construction of the four demonstration islands in the westerly portion of Franks Tract. Both engineering and non-engineering criteria (Moffatt & Nichol Engineers 1990) were applied to the evaluation of demonstration project alternatives and selection of the currently proposed demonstration project. Considerations included:

- cost of the proposed project and eligibility for funding;
- engineering feasibility and technical factors, including wind and wave patterns, sediment transport, and geotechnical conditions;
- ability to meet the demonstration project objectives;
- probability of obtaining environmental approvals in a reasonable period of time;
- ability to minimize maintenance costs for created structures and existing levees;
- ability to minimize liability and safety issues;
- public acceptance; and
- recreation benefits and impacts.

The demonstration project includes construction of four islands in the flooded portion of Franks Tract, where existing water depths are typically about 10 feet at mean tide level. Franks Tract was historically a tule marsh. However, in the early 1900s, agriculture and peat mining activities caused land subsidence. Subsequent levee failure reconnected Franks Tract to the Delta aquatic ecosystem, but water depths are now substantially greater than under historical conditions and the area will not support tule marsh. The construction of these islands would return approximately 45 acres of Franks Tract to its historical condition by increasing self-perpetuating shallow-water habitat. This project is designed to create areas of water at suitable depths with

clean substrates of appropriate size and composition to support tules and provide increased shallow-water habitat for fish and other aquatic organisms.

This proposal presents a unique opportunity to provide the necessary material to construct habitat islands in Franks Tract while also restoring habitat at the borrow site on Decker Island. The creation of demonstration islands at Franks Tract requires approximately 1,000,000 cubic yards of material. Decker Island currently is 20 feet above sea level due to dredge spoils deposited on the island when the Sacramento River was dredged between 1917 and 1937. This overburden from Decker Island is the material to be used for borrow and creation of the islands in Franks Tract.

After the overburden spoil is removed from Decker Island, the borrow area will be re-contoured and planted to restore the approximately 20-acre borrow site to meandering channels, open water, riverine aquatic bed, emergent tidal marsh, shaded riverine aquatic, riparian, and grassland/shrub habitats. Decker Island currently has limited habitat values since existing habitat consists of nonnative grassland and weedy herbaceous plants.

Initial construction of the island fills would consist of placing material either by hydraulic or mechanical (for example, clamshell bucket) means. A silt curtain may be used to arrest the spreading of suspended sediments in the water column. The curtain would be a floating barrier that would extend vertically from the water surface to a specified water depth. The location and rate of material placement would be controlled to ensure stability of the remnant levee against which the fills would be placed. Location of material placement would move throughout the site as fill thickness approached the maximum lift allowances recommended in the geotechnical study (Harding Lawson Associates1990). Initial settlement rates of Delta island peat soils are high relative to those of other soils and subsequent settlements are of moderate duration. **As** maximum individual lift thickness is attained in each demonstration island, placement operations would be moved to other demonstration-island sites.

Final construction scheduling would include avoiding operations during critical times for protection of species of concern. Tules would be planted to enhance the revegetation process and potentially reduce the encroachment of Brazilian pondweed, an invasive plant species found in shallow-water habitat in the Delta. Because this is a demonstration project, several different revegetation techniques are proposed. On the four islands to be constructed, the areas between -2.0 and +0.5 feet MSL NGVD are proposed as tule marsh habitat. Although island footprints and sizes vary, each island is expected to contain a gentle, nearly flat slope within the tule marsh zone where tule planting and natural colonization would occur and colonization and establishment rates and success may be compared. Revegetation techniques would include tule transplanting trials in which tule clumps and tule plugs are planted at various spacing (for example, 5 feet on center, 10 feet on center) within specific elevation zones. Other areas would be left unplanted so that natural colonization can occur

***c*. Monitoring and** Assessment Plans. The proposed biological monitoring program is compatible with CALFED's Comprehensive Monitoring and Review Program (CMARP) and will continue to reflect current knowledge and linkages between restoration activities, ecosystem enhancement and productivity. Pre- and postconstruction monitoring is proposed to demonstrate

the efficacy of the proposed demonstration islands in restoring the targeted habitat types and aiding the targeted species. As a demonstration project the monitoring will not only be directed at the usual concern over conformance by the construction contractor with the requirements of the plans and specifications, but also with evaluation of the innovative engineering features incorporated in the design. Since this project may establish procedures and methodologies for recreating preexisting tidal wetlands in the Delta, it is important that the monitoring plan evaluate the projects technological and environmental merits. Ultimately, the monitoring plan will correlate the physical and biological elements to explain and support the ecological function and benefits of the resultant Project. All aspects of the monitoring plan will be coordinated with DFG, USFWS, NMFS and other interested parties.

A preliminarily biological monitoring program has been established to address the hypothesis about fish abundance and island creation. Water quality and vegetation conditions are also to be extensively monitored. Data will be analyzed using a variety of statistical approaches including the standard t-test, analysis of variance (ANOVA), and other biostatistical tools. Our approach is to determine whether island creation has a net increase in fish abundance and terrestrial species both seasonally and annually. Table 1 summarizes monitoring and data collection information for biologic and ecological objectives. Any work related to sampling of threatened or endangered species will be in accordance with the required permits, approvals, and provisions of the state and federal Endangered Species Acts.

Table 1. Monitoring and Data Collection Information for Biological and Ecological Objectives

Hypothesis **to Be** Evaluated	Monitoring Parameters	Data Evaluation Approach	Comments and Data Priority
Spawning habitat will be increased for native fish species	Larval fish occurrence using light traps	BACIP"	Methods will be consistent with IEP protocol for similar studies. **A** final monitoring plan will be submitted to CALFED and IEP for peer review: raw monitoring results will be reported after each field sampling period and an annual report will evaluate and summarize the results
Rearing habitat will be increased for native fish species	Adult and juvenile fish occurrence using appropriate methods	BACIP'	
Predation and competition by non-native species will not be enhanced	Adult and juvenile fish occurrence using appropriate methods	BACIP"	
Food availability will be increased	Benthic invertebrate occurrence	BACIP[a]	

[a] BACIP is a procedure that includes sampling before and after project implementation. Jones & Stokes proposes to sample a total of 30 sites is proposed to be sampled.

The monitoring program includes monitoring for **3** years following completion of island construction. The specific objective is to document habitat use by delta smelt, Sacramento splittail, Chinook salmon, steelhead, and other native and introduced species and to investigate and compare intentional vegetation restoration with colonization. The program will ascertain

whether native delta fish would use tidal wetland habitats created in Franks Tract or whether exotic species would be the sole beneficiaries instead. The indicators of the project success include physical conditions (area at each elevation, sediment stability, and water quality parameters) and the biological conditions (the density of and area covered by tules and the relative abundance and species diversity of fish and other aquatic organisms).

The collected data will provide information on seasonal fish community structure by habitat type and information on seasonal species and life-stage occurrence by habitat type and will allow assessment of habitat use and potential species interactions (i.e., predation, competition). Data collected, analyzed, and reported will adhere to standards developed for similar studies by DFG and DWR pre- and postproject surveys at Franks Tract would be conducted in waters less than 2 feet deep and waters greater than 2 feet deep.

Vegetation monitoring will be an important component of the process, allowing for determination of the rates at which tules fill-in each planting trial site. The rates of natural colonization also will be documented to determine whether there is a need for planting future islands rather than simply creating the favorable topographic/hydrographic conditions on which natural tule establishment occurs. The results of these trials can then be used to plan future revegetation projects. Also, monitoring will be used to identify areas and elevational zones that may be slow to fill in with tules or that may be more prone to colonization by exotic species. Initial planting or removal of exotics followed by tule planting may be warranted in such areas. This type of adaptive management approach involving regularly monitoring the system and modifying actions based on observed results is integral to the CALFED Ecosystem Restoration Program.

d. Data Handling and Storage. Jones & Stokes will capture, manage, process, and store data in compliance with the adopted quality control and assurance plan and will transfer data to CALFED in digital format based on any meta data standards and protocols established at the time of award, or as defined in the Comprehensive Monitoring Assessment and Review Program Report (CMARF', CALFED, 1999). This includes all water quality, biological, and botanical survey and data collection results, and all geographic information systems maps.

e. Expected **Products/Outcomes.** Moffatt & Nichol Engineers and Jones & Stokes will produce all final bid plans and specifications for the wetlands habitat, including planting plans. DWR will act as construction manager for all solicitations, advertisements, bid packages, and contract documents; construction supervision; and contract management. A specific biological monitoring plan and program report will include the quality assurance program plan (QAPP) and will define the interim and final reporting requirements, which at minimum will include the annual monitoring reports in hard copy and digital format. Jones & Stokes anticipates that the results of the pilot and demonstration project will be presented at two professional association meetings sponsored or promoted by CALFED agencies and will be documented in two professional papers to be submitted to peer reviewed journals for publication.

f. Work Schedule. The work plan was designed to accommodate potential changes in the availability of funds, and the project will be constructed in phases (see Exhibit III). Each island

will be developed and constructed as a stand-alone feature, and all cost and scheduling requirements incorporate this level of flexibility.

g. Feasibility. See Section 2B, Approach. The durability of the Project was a concern because the island sites on Franks Tract are relatively exposed to long-open water fetches. The coastal engineering expertise of **MNE** in wind wave analyses, "soft" techniques for shoreline stabilization, and sediment transport processes served as the basis for selecting island sites and stable island configurations. Dredge Material Islands (DMIs) similar to those in the proposed project have been constructed by the U.S. Army Corps of Engineers (Corps) at Venice Cut and Donlon Islands using dredged material from the Stockton Deepwater Channel project. These islands are also noteworthy because they demonstrate the Corps' success in monitoring midchannel island and shoal habitat. The tidal wetland design parameters that allowed the targeted plant and animal communities to be established on the DMIs were used by MNE in the preliminary engineering for the project.

The status of the project follows:

- The initial study and negative declaration for the four islands of the Franks Tract element have been circulated pursuant to CEQA.
- Based on public comment received, the project design has been revised slightly to include more upland area and a recreation component on two of the proposed islands. The initial study and mitigated negative declaration will be revised and recirculated.
- The project is consistent with existing zoning.
- DPR owns the land within Franks Tract and DFG owns Decker Island, therefore, there are no access issues.
- With the exception of funding, there are no significant issues that would constrain implementation of the project as proposed. A Clean Water Act Section 404 permit preapplication meeting with the Corps has occurred.
- Several permits and approvals are needed for the project including a 404 permit, CWA 401 certification, CDFG 1601 permit, CESA and ESA compliance.
- Permits are being procured with existing funding, but additional funding is included in this PSP to complete procurement of the required state and federal permits.
- DWR has received approval from various agencies to allow construction of 15 acres of habitat at the northern tip of Decker Island. This includes a formal agreement with DFG to create habitat on Decker Island, Corps 404 Letter of Permission, DFG 1601 Agreement, U S . Fish and Wildlife Section 7 consultation, Regional Water Quality Control Board 401 Certification or Waiver, and approval from the State Lands Commission.
- If the Franks Tract/Decker Island Tidal Wetlands Habitat Restoration is selected for funding, all permits/agreements will be modified and resubmitted to allow for a 15-acre expansion of the Project on Decker Island.

D. Applicability to CALFED ERP Goals and Implementation Plan and CVPIA Priorities

1. ERP Goals and CVPIA Priorities

Ecological Processes

- Natural Floodplains and Flood Processes (V I-p. 83; Target 1, Programmatic Action 1G, V II-p. 92);
- Bay-Delta Aquatic Food-Web (V I-p. 95; Target 1, Programmatic Action 1A, V II-p.95).

Habitats

- Tidal Perennial Aquatic Habitat (V I-p.111; Target 1, Programmatic Action 1E, V II-p. 96);
- Delta Sloughs (V I-p. 120; Target 1, Programmatic Action 1A, V II-p.98);
- Mid-channel Islands (V I-p. 125; Target 1, Programmatic Action 1B, VII-p. 98);
- Riparian and Riverine Aquatic habitats (VI-p. 147; Target 6, Programmatic Action 6A, V II-p. 103);
- Fresh Emergent Wetland (V I-p. 136; Target 1, Programmatic Action 1E, V II-p. 100);
- Freshwater Fish Habitats (V I-p. 155; Target 1, V II-p.104);
- Essential Fish Habitats (V I-p. 160).

Species

- Priority Group I- Delta Smelt (V I-p. 191); Longfin Smelt (V I- **p.** 196); Green Sturgeon (V **I-p.** 203); Splittail (V I-p. 207); Chinook Salmon (V I-p. 211); Steelhead Trout (V I-p. 225).
- Priority Group II- California Black Rail (V I-p. 247); Tidal Brackish and Freshwater Marsh Special-status Plant Species (V I-p. 271).
- Priority Group III- Sacramento Perch (V I-p. 297); Western Least Bittern (V I-p. 308).
- Priority Group IV- Native Resident Fish Species (V I-p. 345); Bay-Delta Aquatic Foodweb Organisms (V I-p. 349);); Waterfowl (V I-p. 358); Neotropical Migratory Bird Guild (V **I-p.** 362); Tidal Brackish and Freshwater Marsh Habitat Plant Community Group (V I-p. 371).
- Harvested Species: Striped Bass (V I-p. 395); White Sturgeon (V I-p. 401); Non-native Warmwater Gamefish (V **I-p.** 408); Signal Crayfish (V I-p. 414).

2. Relationship to Other Ecosystem Restoration Projects. The restoration projects goals and objectives are similar to other CALFED-funded projects in the Delta including Prospect Island, Sherman Island Demonstration Project, Tyler Island Levee Protection and Habitat Restoration Project, and the San Francisco Estuary Projects In-Channel Islands Project. These projects all have a common theme and a special restoration focus. Many are being designed under different hydrologic and hydraulic conditions that will facilitate our understanding of restoring wildlife habitats in the dynamic Delta environment. The project also has strong ties to the Ecosystem Restoration Program goals and objectives through the restoration of tidal and intertidal marsh habitats and associated functions in the food chain.

The project applies and tests restoration and engineering techniques previously applied at Venice Cut and Donlon Islands. DMIs similar to those in the proposed project have been constructed by the Corps at Venice Cut and Donlon Islands using dredged material from the Stockton Deepwater Channel project. The objectives of the project have been specifically designed to achieve CALFED's objectives in the Delta. Additionally, the Project is consistent with SB34/AB360 and CALFED levee System Integrity Program and habitat enhancement goals in the Delta.

3. Requests for Next-Phase Funding. See Appendix **A** for project Status Report.

4. Previous Recipients of CALFED or CVPIA Funding. The first phase of this effort, consisting of the CEQA environmental review and initiating the permit process and preparation of construction documents, has been funded through a grant from CALFED No. 97-N12 in the November 1997 funding cycle.

5. System-Wide Ecosystem Benefits. The Project will have synergistic ecosystem benefits by improving and expanding the available habitat for Delta smelt, splittail, and anadromous fish species that pass through the Delta. Upstream projects that are improving the spawning ground for salmon and steelhead will benefit from the nursery habitat created at Franks Tract/Decker Island. Restoration projects in the Delta will have a cumulative beneficial effect with this Project by increasing the available habitat in the Delta for both aquatic and terrestrial target species. Lands to be used are already in state ownership and the project does not require expensive land acquisition. The wave protection afforded from the proposed islands will reduce the probability of Bethel Island levee failure and concurrent water quality impacts in the Delta.

In addition to providing benefits, the project minimizes negative impacts:

- There are no impacts to existing agriculture and no concern over flooding of agricultural tracts.
- Aside from the proposed location, there are very few places in which large-scale tidal wetland creation in the central Delta are possible without impacting agriculture.
- Other alternatives in the central Delta would involve breaching levees on nearby islands, inundating existing productive farmland, creating third-party impacts, and impacting water quality.

E. Qualifications. There are no known conflicts of interest or issues related to meeting the proposed budget or schedule.

DWR will provide overall project management under Curt Schmutte, Branch Chief. Moffatt and Nichol Engineers (MNE) will provide engineering support and design services. Jones & Stokes will provide environmental and permitting support and ecosystems restoration planning, including expertise in biological and botanical resources, cultural resources surveying, mitigation plan implementation, and construction support. Jones & Stokes also will perform all water quality and biological monitoring. Hultgren-Tillis Engineers (HTE) will provide geotechnical engineering support. Towill will perform all necessary surveying. Teaming partners and the roles of key individuals are described further below.

Department of Water Resources. Curt Schmutte, DWR, will act as Project Manager. Mr. Schmutte managed more than $50 million of Delta flood control projects and habitat development projects, including Grizzly Slough, Decker Island Phase I, Sherman Island Berm Category III, Twitchell Island Category III "Learning Laboratory", Twitchell Island levee setback, and Lower Sacramento River Revegetation. Additionally, he was the program manager of the Levee System Integrity component of CALFED. The Division of Engineering within DWR will perform the construction contract administration and inspection for this project. The Division of Engineering currently completes approximately $80 million of construction work on an annual basis, has extensive experience in the Delta, and was responsible for the recent construction of the Franks Tract Wave Wall.

Moffatt & Nichol Engineers (MNE). Richard Dornhelm, P.E., Lead Civil Engineer, has over 30 years of experience in the planning and design of project in the aquatic environment, including numerous wetlands habitat restorations. He has prepared engineering plans to construct habitat and recreation islands in Franks Tract State Recreation Area and designed several wetland restorations around Suisun Bay and Slough. Dilip Trivedi, Ph.D., P.E., Lead Coastal Engineer, has over 12 years of experience in the study of coastal projects with emphasis on the analyses of complex wind, wave, hydrodynamic and sediment transport phenomena. He has prepared the engineering plans for the habitat islands at Franks Tract State Recreation Area, designed wetlands projects at several tracts in the Delta and at sites along Carquinez Strait and Napa River. Richard Rhoads, P.E., Lead Constructability Engineer, has more than 15 years of experience in construction, estimating, and scheduling in the Delta environment, including numerous channel dredging, levee repair, and wetlands projects. He is familiar with special requirements for work in the Delta and knowledgeable about local construction materials, methods and costs to help insure successful project formulation.

Jones & Stokes. Jones & Stokes has provided multidisciplinary services to meet project goals for natural resource management, habitat restoration and mitigation, and environmental compliance and permitting. Jones & Stokes has extensive experience in restoring riparian systems and tidal wetland communities by designing, implementing, maintaining, and monitoring restoration projects throughout California.

Doug Brewer, Principal, will lead the Jones & Stokes team and has been involved since project inception. Mr. Brewer has more than 15 years of experience in water quality planning projects and a B.A. in wildlife biology. Matthew Zidar, Principal Hydrologist/Project Manager, directed preparation of the Initial Study and Mitigated Negative Declaration for the Franks Tract CEQA compliance and will continue to coordinate the remaining environmental permitting, restoration planning, design, construction, and monitoring activities. Mr. Zidar is a Principal Hydrologist with 16 years of experience and a B.S. in watershed sciences. Warren Shaul, Senior Fisheries Biologist, will lead the fisheries monitoring and analysis component of the project. Mr. Shaul has 21 years of experience and an M.S. in fisheries sciences. Russ Brown, Ph.D., will assist in developing the water quality data collection program and during analysis of the monitoring program results. Dr. Brown has 23 years of experience and a Ph.D. in civil engineering water resources. Amy Rucker will be the lead restoration ecologist and will be responsible for final design of the planting plans and vegetative monitoring programs. Ms. Rucker has 11 years of experience and a B.S. in landscape architecture.

Hultgren-Tillis Engineers. HTE has been involved with the Franks Tract project since the early 1990's. The firm is currently retained by MNE for the Phase I of Franks Tract due to its specialty experience and knowledge associated with placing fill-on compressible soils within the Delta. Ed Hultgren, Lead Geotechnical Engineer, has 30 years of experience in geotechnical engineering consulting. Recently, Mr. Hultgren is the principal geotechnical engineer for the Delta Wetlands Project, involving the strengthening of 50 miles of delta levees for reservoir and habitat islands. He has evaluated test fills and levee sections to monitor peat settlement and lateral deformation under new fill loads. He is currently evaluating borrow materials from Decker Island for raising and buttressing portions of Webb Tract levees.

Towill, Inc. Towill has been involved with the Franks Tract project since the early 1990's having performed the original surveys. This prior knowledge of the location gives the firm critical familiarity and access to existing data other similar firms would not have the ability to provide. John Langan, L.S., Lead Surveyor, has over 30 years of experience in topographic and hydrographic surveying. Mr. Langan has managed surveys of areas throughout the San Francisco Bay.

F. *Cost.*

Annual and Total Budget is attached as Table 1. The DWR Levee Flood Protection Program intends to provide 1 MCY (million cubic yards) of borrow material from Decker Island at no cost to the project. The value of this borrow material is estimated at **$3** million. The Flood Protection Program also intends to fund the restoration including the final contouring and planting of the borrow area at Decker Island. The estimated project cost for restoration of Decker Island to create the desired habitat types is $1 million.

FRANKS TRACT / DECKER ISLAND WETLANDS HABITAT RESTORATION

Prepared for: CALFED
Prepared by: Department of Water Resources
Submitted: May 15.2000

Table 1. Annual and Total Budge:

Year	Task	Direct Labor Hours	Per DWR Invoice and Overhead Policy						Exempt from Overhead		Total Cost
			Total Labor Costs	Benefits	Travel	Supplies & Expendables	Service Contracts	Misc. & Other Direct Costs	Material Acquisition Contracts	Graduate Student Fee Remission	
Year 1	1.0 Pre-Construction Services										
	1.01 Final Permitting						$ 196,076	$ 19.607			$ 215.883
	1.02 Pilot Biological Monitoring						$ 55,000	$ 5,500			$ 60.500
	1.03 Final Design of Decker Island	400	$ 32,000				$ 61,235	$ 9.324			$ 102.559
	1.04 Solicit Construction Bids	1,075	$ 86,000				$ 9,320	$ 9.530			$ 104.850
	1.05 Project Management	680	$ 51,000								$ 51,000
Total Cost Year 1		2,155	$ 169.001	$ -	$ -	$ -	$ 321,631	$ 43,961	$ -	$ -	$ 534.592
Year 2	2.0 Island #1 Construction & Monitoring										
	2.01 Construction of Island #1						$ 11.525	$ 1.153	$ 3,774,250		$ 3,786,928
	2.02 Construction Management & Inspection Services	3,919	$ 313,520				$ 189.346	$ 50.287			$ 553.153
	2.03 Engineering Support						$ 37.869	$ 3.787			$ 41.656
	2.04 Geotechnical Support						$ 30,553	$ 3.055			$ 33.608
	2.05 Water Quality Monitoring (3 yrs)						$ 69.000	$ 6.900			$ 75.900
	2.06 Post-Construction Biological (Fishery) Monitoring (3 yrs)						$ 150.000	$ 15.000			$ 165.000
	2.07 Prepare Demonstration Project Evaluation Final Report	60	$ 4,809				$ 20.380	$ 2.518			$ 27.698
	2.08 Project Management										$ -
Total Cost Year 2		3,979	$ 318,329	$ -	$ -	$ -	$ 508,673	$ 170,622	$ 3,774,250	$ -	$ 4,683,943

FRANKS TRACT/ DECKER ISLAND WETLANDS HABITAT RESTORATION

Prepared for: CALFED
Prepared by: Department of Water Resources
Submitted: May 15, 2000

Table 1. Annual and Total Budget

Year	Task	Direct Lab Hours	Per DWR Invoice and Overhead Policy: Total Labor Costs	Benefits	Travel	Supplies & Expendables	Service Contracts	Misc. & Other Direct Costs	Exempt fr: Material Acquisition Contracts	Overhead: Graduate Student Fee Remission	Total Cost
Year 3	3.0 Island #2 Construction & Monitoring										
	3.01 Construction of Island #2						$ 10.725	$ 1.073	$ 2,045,250		$ 2,057,048
	3.02 Construction Management & Inspection Services	2,1	$ 171,360				$ 102.852	$ 27.421			$ 301.633
	3.03 Engineering Support						$ 20.570	$ 2.057			$ 22.627
	3.04 Geotechnical Support						$ 28.584	$ 2.858			$ 31.442
	3.05 Water Quality Monitoring (3 yrs)						$ 103.000	$ 10,300			$ 113.300
	3.06 Post-Construction Biological (Fishery) Monitoring (3 yrs)						$ 150.000	$ 15,000			$ 165.000
	3.07 Prepare Demonstration Project Evaluation Final Report		$ 4,800				$ 20.380	$ 2.518			I 27.698
	3.08 Project Management										I
Total Cost Year 3		2,2	$ 176,160	$ -	$ -	$ -	$ 436,111	$ 61,227	$ 2,045,250	-	6 2,718,748
Year 4	4.0 Island #3 Construction & Monitoring										
	4.01 Construction of Island #3						$ 11,525	$ 1,153	$ 4,213,750		$ 4,226,428
	4.02 Construction Management & Inspection Services	3,8	$ 305,960				$ 211,321	$ 51,828			$ 570.103
	4.03 Engineering Support						$ 42,264	$ 4,226			$ 48.490
	4.04 Geotechnical Support						$ 25,222	$ 2,522			$ 27.744
	4.05 Water Quality Monitoring (3 yrs)						$ 103,000	$ 10,300			$ 113.300
	4.06 Post-Construction Biological (Fishery) Monitoring (3 yrs)						$ 150,000	$ 15,000			$ 165,000
	4.07 Prepare Demonstration Project Evaluation Final Report		$ 4,800				$ 20,380	$ 2,518			$ 27.698
	4.08 Project Management										I
Total Cost Year 4		3,8	$ 311,760	$ -	$ -	$ -	$ 561,712	$ 81,547	I 4,213,750		$ 5,176,769

FRANKS TRACT / DECKER ISLAND WETLANDS HABITAT RESTORATION

Prepared lor: CALFED
Prepared by: Department of Water Resources
Submitted: May 15, 2000

Table 1. Annual and Total Budget

Year	Task	Direct Labor Hours	Per DWR Invoice and Overhead Policy: Total Labor Costs	Benefits	Travel	Supplies & Expendables	Service Contracts	Misc. & Other Direct Costs	Exempt from Overhead: Material Acquisition Contracts	Graduate Student Fee Remission	Total Cost
Year 5	5.0 Island #4 Construction & Monitoring										
	5.01 Construction of Island #4						$ 10.975	$ 1,091	2,847,800		$ 2,859,873
	5.02 Construction Management & Inspection Services	2,199	$ 175,920				$ 142,994	$ 31.891			$ 350.805
	5.03 Engineering Support						$ 28,599	$ 2,860			$ 31,459
	5.04 Geotechnical Support						$ 24.379	$ 2,436			$ 26,817
	5.05 Water Quality Monitoring (3 yrs)						$ 69,000	$ 6,900			$ 75,900
	5.06 Post-Construction Biological (Fishery) Monitoring (3 yrs)						$ 150.000	$ 15,000			$ 165,000
	5.07 Prepare Demonstartion Project Evaluation Final Report	60	$ 4,800.00				$ 20,380	$ 2.518			$ 27,698
	5.08 Project Management										$ -
Total Cost Year 5		2,259	$ 180,720	$ -	$ -	-	$ 446,327	$ 62,705	$ 2,847,800	$ -	$ 3,537,552
Total Project Cost		14,492	$ 1,155,900	$ -	$ -	-	$ 2,276,454	$ 426.062	$ 12,881,850	$ -	$ 16,651,864

***G*. Local Involvement.** The Delta Protection Commission, Solano County, and Contra Costa County have been notified of the project. Copies of the notification letters are included in Exhibits VIIa-c.

Megasand, the landowner on Decker Island adjacent to the proposed restoration project, has been notified of the project. Megasand has outlined a similar restoration project in the Reclamation Plan completed for the borrow activity on their land. Landowners adjacent to Franks Tract will receive wave protection benefits from the project.

When DPR first developed the concept of creating demonstration islands within Franks Tract in the early 1990's, several public meetings were held with adjacent landowners, Newsletters were published and distributed to the public to inform them of the proposed improvements. Additional meeting were held with persons from Bethel Island and with other stakeholders in the central Delta to address concerns identified after circulation of the CEQA Initial Study and Mitigated Negative Declaration. As a result of these meetings, the project design has been revised to include more upland features and a recreation element and the Initial Study and Mitigated Negative Declaration are being revised and will be recirculated.

No third-party impacts were identified in connection with the restoration of Decker Island. However, some beneficial third-party impacts have been identified in connection with creation of habitat islands in Franks Tract. There will be a beneficial impact on local reclamation districts due to wave sheltering that will reduce levee vulnerability and maintenance. There also will be a net beneficial impact on boaters, hunters, and fisherman due to ecosystem restoration; however, the loss of some deeply flooded habitat will concern bass fishermen. Since bass are an introduced predatory species, impacts on them are not inconsistent with CALFED's ERP goals. There will be a beneficial impact for water purveyors due to the reduced risk of levee failure in neighboring islands. A levee failure in any neighboring island would result in adverse impacts on Delta water quality. Based on the public participation process conducted by DPR during the planning and preliminary engineering for the project, the project appears to be self-mitigating with no known opposition. The environmental certification and permit process should provide sufficient opportunity for public interest and resource agency review of this Project.

H. Compliance with Standard Terms and Conditions. The project applicant, DWR, and all of the cooperating entities will comply with the state and federal standard terms and conditions as identified in the PSP.

I. Literature Cited.

California Department of Fish and Game. 1996. Project Review guidelines for delta smelt (*Hypomesus transpacificus*) protection in the Sacramento-San Joaquin estuary.

_____. 1999. Natural Diversity Data Base report for the Jersey and Bouldin Island quadrangles.

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California Department of Water Resources. 1998. Decker Island Habitat Development Initial Study. Draft. Sacramento, CA. May.

Contra Costa County. 1991. Bethel Island area specific plan. April.

_____. 1996. Contra Costa County general plan, 1995-2010. July.

Harding Lawson Associates. 1990. Geotechnical investigation Franks Tract State Recreation Area, Contra Costa County, California. December.

Jones & Stokes Associates. 1999. Franks Tract Restoration Demonstration Project. Final Study/Mitigated Negative Declaration. Prepared for State of California Department of Parks and Recreation, Brannan Island State Recreation Area. August.

Lindberg, J.C., and C. Marzuola. 1993. Delta smelt in a newly-created, flooded island in the Sacramento-San Joaquin Estuary, Spring 1993. Prepared for California State Department of Water Resources. Sacramento, CA.

Maniery, M. L., and K. A. Syda. 1989. Cultural Resources inventory and evaluation of Delta Wetlands water storage project, Contra Costa and San Joaquin Counties, California. Prepared for Jones & Stokes Associates, Inc. Sacramento, CA. Prepared by PAR & Associates, Sacramento, CA. February 24, 1988.

McCarten, N. F., and R. Ornduff. 1990. Report on a study of sensitive plant species occurring in Frank's Tract State Recreation Area. Prepared for Department of Parks and Recreation, Inland Region, Lodi, CA.

Moffatt & Nichol Engineers. 1990a. Letter Report to Mr. Mike August, State of California, Department of Parks and Recreation. Subject: Franks Tract SRA - sediment analysis. December.

_____. 1990b. Franks tract location, priority and configuration of pilot islands report. Prepared for the California Department of Parks and Recreation. December.

_____. 1990c. Franks Tract SRA structures demonstration project report. Prepared for the California Department of Parks and Recreation. December.

_____. 1990d. Franks Tract non-engineering criteria interim report. Prepared for the California Department of Parks and Recreation. September

_____. 1990e. Franks Tract SRA - permits, priorities and programs report. Prepared for the California Department of Parks and Recreation. December.

_____. 1991. Franks Tract SRA - preliminary engineering project summary report. Prepared for the California Department of Parks and Recreation. April.

U.S. Environmental Protection Agency. 1971. Noise from construction equipment and operations, building equipment, and home appliances. (NTDID300.1.) Arlington, VA. Prepared by Bolt, Beranek and Newman, Inc., Boston, **MA.** U.S. Government Printing Office. Washington, D.C.

Waugh, G. 1986. Cultural resources survey, Brannan Island and Franks Tract State Recreation areas. Report number S-08845, on file at the Northwest Information Center of the California Historical Resources Inventory System, Sonoma State University, Rohnert Park, CA.

J. Threshold Requirements.

Letters of Notification
Environmental Compliance Checklist
Land Use Checklist
State Forms
    Standard Clauses - Interagency Agreements (DWR 4187)
Federal Forms
    Application for Federal Assistance (SF 424)
    Budget Information - Construction Programs (SF 424C)
    Assurances - Construction Programs (SF 424D)

Exhibit VIIa

STATE OF CALIFORNIA. THE RESOURCES AGENCY
GRAY DAVIS, *Governor*

DEPARTMENT OF WATER RESOURCES
CENTRAL DISTRICT
3251 S STREET
SACRAMENTO, CA 95816-7017

MAY 15 2000

Mr. Milton Kubicek
County of Contra Costa
255 Glacier Drive
Martinez, California 94553

Dear Mr. Kubicek:

The Department of Water Resources' Flood Protection and Geographic Information Branch has joined with the Department of Fish and Game, the Department of Parks and Recreation, and Moffat & Nichol Engineers to submit a CALFED proposal for funding of the Franks Tract/Decker Island Wetlands Habitat Restoration Project. The purpose of this letter is to provide you with early notification of our intent to construct a habitat restoration project within your jurisdiction.

The proposed project includes removing the overburden material from the northern tip of Decker Island for construction of habitat islands in Franks Tract. The proposed project will restore:

- **45** acres of deeply flooded habitat at Franks Tract to **34** acres of shallow tidal perennial and inter-tidal habitat, and **11** acres of fresh emergent wetlands habitat; and
- 20 acres of existing weedy non-native habitat on Decker Island to create a diversity of aquatic, wetland, riparian, and upland habitats that have been greatly diminished in the Delta.

Franks Tract, owned by DPR, has been flooded since **1938.** Flooding of the island has increased levee vulnerability and maintenance to the neighboring islands due to the large open water expanse increasing wave action against the levees. The **35** acres on the northern tip of Decker Island, owned by DFG, is currently 20 feet above sea level due to dredge spoils deposited on the island when the Sacramento River **was dredged between 1917 and 1937.**

DWR will keep you informed of the status of this proposal, and should it be funded by CALFED, the progress of the project. If you have any questions regarding our proposal, please contact me at **(916)** 227-7567.

Sincerely,

Curt Schmutte, Chief
Flood Protection and Geographic
Information Branch

Exhibit VIIb

STATE OF CALIFORNIA - THE RESOURCES AGENCY GRAY DAVIS, *Governor*

DEPARTMENT OF WATER RESOURCES
CENTRAL DISTRICT
3251 S STREET
SACRAMENTO, CA 95816-7017

MAY 15 2000

Mr. David Okita
County of Solano
508 Elmira Road
Vacaville, California 95687

Dear Mr. Okita:

The Department of Water Resources' Flood Protection and Geographic Information Branch has joined with the Department of Fish and Game, the Department of Parks and Recreation, and Moffat & Nichol Engineers to submit a CALFED proposal for funding of the Franks Tract/Decker Island Wetlands Habitat Restoration Project. The purpose of this letter is to provide you with early notification of our intent to construct a habitat restoration project within your jurisdiction.

The proposed project includes removing the overburden material from the northern tip of Decker Island for construction of habitat islands in Franks Tract. The proposed project will restore:

- 45 acres of deeply flooded habitat at Franks Tract to 34 acres of shallow tidal perennial and inter-tidal habitat, and **11** acres of fresh emergent wetlands habitat; and
- 20 acres of existing weedy non-native habitat on Decker Island to create a diversity of aquatic, wetland, riparian, and upland habitats that have been greatly diminished in the Delta.

Franks Tract, owned by DPR, has been flooded since 1938. Flooding of the island has increased levee vulnerability and maintenance to the neighboring islands due to the large open water expanse increasing wave action against the levees. The 35 acres on the northern tip of Decker Island, owned by DFG. is currently 20 feet above sea level due to dredge spoils deposited on the island when the Sacramento River was dredged between 1917 and 1937.

DWR will keep you informed of the status of this proposal, and should it be funded by CALFED, the progress of the project. If you have any questions regarding our proposal, please contact me at (916) 227-7567.

Sincerely,

Curt Schmutte, Chief
Flood Protection and Geographic
Information Branch

Exhibit VIIc

STATE OF CALIFORNIA. THE RESOURCES AGENCY

GRAY DAVIS, *Governor*

DEPARTMENT OF WATER RESOURCES
CENTRAL DISTRICT
3251 S STREET
SACRAMENTO, CA 95816-7017

MAY 15 2000

Ms. Margit Aramburu
Executive Director
Delta Protection Commission
14215 River Road
Walnut Grove. California 95690

Dear **Ms.** Aramburu:

The Department of Water Resources' Flood Protection and Geographic Information Branch has joined with the Department of Fish and Game, the Department of Parks and Recreation, and Moffat & Nichol Engineers to submit a CALFED proposal for funding of the Franks Tract/Decker Island Wetlands Habitat Restoration Project. The purpose of this letter is to provide you with early notification of our intent to construct a habitat restoration project within your jurisdiction.

The proposed project includes removing the overburden material from the northern tip of Decker Island for construction of habitat islands in Franks Tract. The proposed project will restore:

- 45 acres of deeply flooded habitat at Franks Tract to 34 acres of shallow tidal perennial and inter-tidal habitat, and 11 acres of fresh emergent wetlands habitat; and
- 20 acres of existing weedy non-native habitat on Decker Island to create a diversity **of** aquatic, wetland, riparian, and upland habitats that have been greatly diminished in the Delta.

Franks Tract, owned by DPR, has been flooded since 1938. Flooding of the island has increased levee vulnerability and maintenance to the neighboring islands due to the large open water expanse increasing wave action against the levees. The 35 acres on the northern tip of Decker Island. owned by DFG, is currently 20 feet above sea level due to dredge spoils deposited on the island when the Sacramento River was dredged between 1917 and 1937.

DWR will keep you informed of the status of this proposal, and should it be funded by CALFED. the progress of the project. If you have any questions regarding our proposal, please contact me at (916) 227-7567.

Sincerely,

Curt Schmutte, Chief
Flood Protection and Geographic
Information Branch

Environmental Compliance Checklist

All applicants must fill out this Environmental Compliance Checklist. Applications must contain answers to the following questions to be responsive and to be considered for funding. ***Failure to answer these questions and include them with the application will result in the application being considered nonresuonsive and not considered for funding.***

1. Do any of the actions included in the proposal require compliance with either the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), or both?

   X
   YES

   NO

2. If you answered yes to # **1,** identify the lead governmental agency for CEQA/NEPA compliance.

   California Department of Parks and Recreation
   Lead Agency

3. If you answered no to # **1,** explain why CEQA/ NEPA compliance is not required for the actions in the proposal.

4. If CEQA/NEPA compliance is required, describe how the project will comply with either or both **of** these laws. Describe where the project is in the compliance process and the expected date of completion.

   The Initial Study and Negative Declaration (IS/MND) for the four islands Franks Tract element has been circulated pursuant to CEQA. Based on public comment received during circulation, the project design has been revised to include more upland area and a recreation component on two of the proposed islands. In addition, the environmental review requirements to include expansion of the Decker restoration project is being evaluated. DWR had prepared and certified and IS/MND for Decker, but the area to be restored is to be expended outside of the original area covered in the IS/MND for the Decker project. The IS/MND for the integrated Franks Tract/Decker Island project be revised and re-circulated accordingly. It is anticipated that the CEQA review requirements will be met by September **2000.** With the exception of funding, there are **no** significant issues that would constrain implementation of the project as proposed.

5. Will the applicant require access across public or private property that the applicant does not own to accomplish the activities in the proposal?

   YES

   X
   NO

   If yes, the applicant must attach written permission for access from the relevant property owner(s). Failure to include written permission for access may result in disqualification of the proposal during the review process. Research and monitoring field projects for which specific field locations have not been identified will he required to provide access needs and permission for access with **30** days of notification of approval.

6. **Please indicate what permits or other approvals may be required for the activities contained in your proposal. Check all boxes that apply.**

LOCAL		
Conditional use permit	X	
Variance	—	
Subdivision Map Act approval	—	
Grading permit	X	
General plan amendment	—	
Specific plan approval	—	
Rezone	—	
Williamson Act Contract cancellation	—	
Other _____ (please specify)		
None required	—	
STATE		
CESA Compliance	X	(CDFG)
Streambed alteration permit	X	(CDFG)
CWA § 401 certification	X	(RWQCB)
Coastal development permit	—	(Coastal Commission/BCDC)
Reclamation Board approval	—	
Notification	—	(DPC, BCDC)
Other _____ (please specify)		
None required	—	
FEDERAL		
ESA Consultation	X	(USFWS)
Rivers & Harbors Act permit	X	(ACOE)
CWA § 404 permit	X	(ACOE)
Other _____ (please specify)		
None required	—	

DPC = Delta Protection Commission
CWA = Clean Water Act
CESA = California Endangered Species Act
USFWS = U.S. Fish and Wildlife Service
ACOE = U S . Army Corps of Engineers

ESA = Endangered Species Act
CDFG = California Department of Fish and Game
RWQCB = Regional Water Quality Control Board
BCDC= Bay Conservation and Development Comm

Land Use Checklist

All applicants must fill out this Land Use Checklist for their proposal. Applications must contain answers *to* the following questions to be responsive and to be considered for funding. ***Failure to answer these questions and include them with the application will result in the application being considered nonresuonsive and not considered for funding.***

1. Do the actions in the proposal involve physical changes to the land (i. e. grading, planting vegetation, **or** breeching levees) or restrictions in land use (i. e. conservation easement or placement of land in a wildlife refuge)?

   _____ **YES** X **NO**

2. If **NO** to # **1,** explain what type of actions are involved in the proposal (i.e., research only, planning only).

No major land use changes. Agriculture in the Central Delta **is** preserved. Grading and restoration activities are to occur at Decker Island (DFG Land) to restore wetlands. Disposal of materials in waters **of** the United States is to occur in Franks Tract to create subtidal habitat and wetland (DPR land) in accordance with the General Plan for Brannan Island and Franks Tract State Recreation areas (DPR, **1988).**

3. If **YES** to # **1,** what is the proposed land use change or restriction under the proposal?

4. If **YES to # 1, is** the land currently under a Williamson Act contract?

   _____ **YES** _____ **NO**

5. If YES to # **1,** answer the following:

   Current land use _____
   Current zoning _____
   Current general plan designation _____

6. If **YES** to #1, **is** the land classified as Prime Farmland, Farmland of Statewide Importance or Unique Farmland on the Department **of** Conservation Important Farmland Maps?

   _____ **YES** _____ NO _____ DON'T **KNOW**

7. If YES to # 1, how many acres of land will be subject to physical change **or** land use restrictions under the proposal?

   _____

8. **If YES** to # **1,** is the property currently being commercial l y f armed **or** grazed?

   _____ YES **NO**

9. If YES to #8, what are the number of employees/acre _____
   the total number **of** employees _____

10. Will the applicant acquire any interest in land under the proposal (fee title **or** a conservation easement)?

_____ **YES** X **NO**

11. What entity/organization will hold the interest?_____

12. **If YES** to # **10,** answer the following:

Total number of acres to be acquired under proposal _____
Number of acres to be acquired in fee _____
Number **of** acres to be subject to conservation easement _____

13. For all proposals involving physical changes to the land **or** restriction in land use, describe what entity **or** organization **will:**

manage the property DPR_____
provide operations and maintenance services DPR_____
conduct monitoring DPQ DWR_____

14. For land acquisitions (fee title **or** easements), will existing water rights also be acquired?

_____ **YES** _____ **NO**

15. Does the applicant propose any modifications to the water right **or** change in the delivery **of** the water?

_____ **YES** X **NO**

16. **If** YES to # **15,** describe_____

Agreement N _____

Exhibit-_____

STANDARD CLAUSES –
INTERAGENCY AGREEMENTS

Audit Clause. For Agreements in excess of $10,000, the parties shall be subject to the examination and audit of the State Auditor for a period of three years after final payment under the Agreement. (Govemmenf Code. Section 8546.7).

Availability *of* Funds. Work to be performed under this Agreement is subject to availabilityof funds through the State's normal budget process.

Interagency Payment Clause. For services provided under this Agreement, charges will be computed in accordance with State Administrative Manual Sections 8752 and 8752.1.

Termination Clause. Either State agency may terminate this Agreement upon thirty (30) days' advance written notice. The State agency providing the services shall be reimbursed for all reasonable expenses incurred up to the date of termination.

Severability. If any provision of this Agreement is held invalid or unenforceable by any court of final jurisdiction. it is the intent of the parties that all other provisions of this Agreement be construed to remain fully valid, enforceable, and binding on the parties.

Y2K Language. The Contractor warrants and represents that the goods or services sold, **leased,** or licensed to the State of California, its agencies, or its political subdivisions, pursuant to this Agreement are "Year 2000 compliant" **For** purposes of this Agreement, a good or service is Year 2000 compliant **if** it will continue to fully function before, at, and after the Year 2000 without interruption and, if applicable, with full ability to accurately and unambiguously process, display, compare, calculate, manipulate, and otherwise utilize date information. This warranty and representation supersedes all warranty disclaimers and limitations and all limitations on liability provided by or through the Contractor.

APPLICATION FOR FEDERAL ASSISTANCE

OMB Approval No. 0348-0043

2. DATE SUBMITTED	Applicant Identifier
May 15. 2000	

1. TYPE OF SUBMISSION:		3. DATE RECEIVED BY STATE	(State Application Identifier
Application [x] construction [ ] Non-Construction	Preapplication [x] construction [ ] Non-Construction	4. DATE RECENED BY FEDERAL AGENCY	Federal Identifier CALFED No. 97-N12

5. APPLICANT INFORMATION

Legal Name:	Organizational Unit:
California State Department of Water Resources	Flood Protection and Geographic Information Branch
Address (give city, county, State. and zip code): 3251 S Street Sacramento. California 92816 Sacramento County	Name and telephone number of person to be contacted on matters involving this application (give area code) Curt Schmutte, 916/227-7567

6. EMPLOYER IDENTIFICATION NUMBER (EIN):

6 8 – 0 3 0 3 6 0 6

7. M P E OF APPLICANT: (enter appropriate letter in box) A

A. State
B. County
C. Municipal
D. Township
E. Interstate
F. Intermunicipal
G. Special District
H. Independent School Dist.
I. State Controlled Institution of Higher Learning
J. Private University
K. Indian Tribe
L. Individual
M. Profit Organization
N. Other (Specify) _____

8. N P E OF APPLICATION:

[ ] New [x] Continuation [ ] Revision

If Revision. enter appropriate letter(s) in box(es) [ ] [ ]

A. Increase Award B. Decrease Award C. Increase Duration
D. Decrease Duration Othe (specify):

_____

9. NAME OF FEDERAL AGENCY:

U.S. Bureau of Reclamation

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER

[ ][ ] – [ ][ ][ ]

TITLE:

11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT

12. AREAS AFFECTED BY PROJECT (Cities, Counties. States. etc.):

Contra Costa and Solano Counties, California

13. PROPOSED PROJECT		14. CONGRESSIONAL DISTRICTS OF	
Start Dale Oct 2000	Ending Date Oct 2008	a. Applicant 11	b. Project 10 and 11

15. ESTIMATED FUNDING:

a. Federal	$ .00
b. Applicant	$ .00
c. Slate	$ .00
d. Local	$ .00
e. Other	$ .00
f. Program Income	$ .00
g. TOTAL	$ 16,651,604 .00

16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?

a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:

DATE _____

b. No. [ ] PROGRAM IS NOTCOVERED BY E. 0.12372
[ ] OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?

[ ] Yes If "Yes," attach an explanation. [ ] No

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Type Name of Authorized Representative	b. Title	c. Telephone Number
Curt Schmutte	Chief Flood Protection and Geographic Information Branch	916/227-7567
d. Signature of Authorized Representative: Curt Schmutte		e, Dale Signed

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Standard Form 424 (Rev 7-97)
Prescribed by OMB Circular A-102

OMB Approval No. 0348-0041

BUDGET INFORMATION - Construction Programs

NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case, you will be notified.

COST CLASSIFICATION	a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (Columns a-b)
1. Administrative and legal expenses	$ 155,850 .00	$ .00	$ 155,850 .00
2. Land, structures, rights-of-way, appraisals, etc.	$ .00	$ .00	$ .00
3. Relocation expenses and payments	$ .00	$ .00	$ .00
4. Architectural and engineering fees	$ 244,791 .00	$ .00	$ 244,791 .00
5. Other architectural and engineering fees	$ 446,086 .00	$ .00	$ 446,086 .00
6. Project inspection fees	$ 1,775,700 .00	$ .00	$ 1,775,700 .00
7. Site work	$ .00	$ .00	$ .00
8. Demolition and removal	$ .00	$ .00	$ .00
9. Construction	$ 12,283,763 .00	$ .00	$ 12,283,763 .00
10. Equipment	$ 1,098,900 .00	$ .00	$ 1,098,900 .00
11. Miscellaneous	$ .00	$ .00	$ .00
12. SUBTOTAL *(sum of lines 1-11)*	$ 646,514 .00	$ .00	$ 646,514 .00
13. Contingencies	$ 16,651,604 .00	$ .00	$ 16,651,604 .00
14. SUBTOTAL	$ .00	$ .00	$ .00
15. Project (program) income	$ 16,651,604 .00	$ .00	$ 16,651,604 .00
16. TOTAL PROJECT COSTS *(subtract #15 from #14)*	$ .00	$ .00	$ .00

FEDERAL FUNDING		
17. Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share.) Enter the resulting Federal share.	Enter eligible costs from line 16c Multiply X 100 %	$ 16,651,604 .00

OME Approval No. 0348-0042

ASSURANCES - CONSTRUCTION PROGRAMS

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE Certain of these assurances may not be applicable to your project or program. If you have questions. please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional. managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.

2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.

3. Will not dispose of. modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property aquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.

4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.

5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.

6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.

7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).

9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. $51681 1683. and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 *of* the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis *of* handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255). as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention. Treatment and Rehabilitation Act of 1970 (P.L. 91-616). as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3). as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. $53601 et seq.), as amended, relating to nondiscrimination in the *sale*, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

11. Will comply. or has already complied. with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.

12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.

14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more.

15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.): (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).

16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).

18. Will cause to ***be*** performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."

19. Will comply with all applicable requirements of **all** other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
Curt Schmutte	Chief Flood Protection and Geographic information Branch
APPLICANT ORGANIZATION	DATE SUBMITTED
California Department of Water Resources	May 15,2000

U.S. Department of the Interior

Certifications Regarding Debarment. Suspension and Other Responsibility Matters, Drug-Free Workplace Requirements and Lobbying

Persons signing this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions - The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction." provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. See below for language to be used; use this form for certification and sign; or use Department of the Interior Form 1954 (DI-1954). (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion- Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

Certification Regarding Drug-Free Workplace Requirements - Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12.)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

PART A Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions

CHECK — IF *THIS* CERTIFICATION *IS* FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery. bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification. such prospective participant shall attach an explanation to this proposal.

PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

CHECK __ IF *THIS* CERTIFICATION *IS* FOR A *LOWER* TIER COVERED TRANSACTION AND *IS* APPLICABLE

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

DI-2010
March 1995
(This form consolidates DI-1953, DI-1954 DI-1955, DI-1956 and DI-1963)

PARTC: Certification Regarding Drug-Free Workplace Requirements

CHECK X IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOJAN INDIVIDUAL.

Alternate I. (Grantees Other Than Individuals)

A. The grantee certifies that it will or continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession. or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition:

(b) Establishing an ongoing drug-free awareness program to inform employees about--
(1) The dangers of drug abuse in the workplace;
(2) The grantee's policy of maintaining a drug-free workplace:
(3) Any available drug counseling, rehabilitation, and employee assistance programs; and
(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant. the employee will –
(1) Abide by the terms of the statement: and
(2) Notify the employer in writing of tis or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every ***gat*** officer on whose grant activity the convicted employee was working. unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted –
(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended: or
(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a). (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

_____

_____

_____

Check __ if there are workplaces on-file that are not identified here.

PARTD: Certification Regarding Drug-Free Workplace Requirements

CHECK __ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL.

Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant:

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

01.2010
March **1995**
(This form consolidates DI-1953, DI-1954, DI-1955. DI-1956 **and** DI-1963)

PARTE: Certification Regarding Lobbying
Certification for Contracts, Grants, Loans, and Cooperative Agreements

CHECK X IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS $100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT, SUBCONTRACT, OR SUBGRANTUNDER THE GRANT OR COOPERATIVE AGREEMENT.

CHECK __ IF CERTIFICATION IS FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF $150,000, OR A SUEGRANTOR SUBCONTRACT EXCEEDING $100,000, UNDER THE LOAN.

m e undersigned certifies, to the best of his or her knowledge and belief. that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress. or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If a'y funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract. grant, loan, or cooperative agreement. the undersigned shall complete and submit Standard Form-LLL. "Disclosure Form to Report Lobbying." in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31. U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Curt Schmutte, Chief. Flood Protection and Geographic Information Branch
TYPED NAME AND TITLE

May 15,2000
DATE

DI-2010

March 1995

(This form consolidates DI-1953, DI-1954, DI-1955, DI-1956 and DI-1963)

APPENDIX-A

Current Status of the Franks Tract Wetlands Habitat Restoration Project (CALFED Project Number 97-N12)

The Franks Tract Wetlands Habitat Restoration Project was initially conceived under a California Department of Parks and Recreation contract to study the feasibility of a pilot (demonstration) program to restore the ancestral Central Delta ecosystem in the 3,300-acre Franks Tract State Recreation Area. The resulting study (Moffatt & Nichol Engineers, 1991) recommended the construction of four low islands covering 45 acres of the flooded tract to convert subtidal areas, where depths are typically 10 feet at mean tide level, to shallow water and intertidal emergent wetlands, and riparian (mid-channel island) habitat types. The source of island fill material was to be the submerged sand mounds in Franks Tract, or alternately, opportunistic dredged material sources. Due to the lack of funding for construction, the demonstration project lay dormant.

In 1998, CALFED authorized the funding of preconstruction services for the project, which included the final design and construction document preparation, and the environmental certification. The contract was awarded in January 1999 in the amount of $231,500. The contract is administered by the National Fish and Wildlife Federation.

During the CEQA process, use of the onsite sand mounds was eliminated due to environmental concerns and use of an offsite borrow source became mandatory. The removal of the dredged material previously placed on Decker Island (the State Lands portion, now administered by the Department of Fish and Game) was found to be feasible, with the added benefit that the existing non-native upland habitat on Decker Island would be restored to 20 acres of tidal wetland habitat. Other design changes prompted by the environmental review process included detaching the new islands from the existing remnant levees and incorporating a recreational component on two of the islands to permit "beaching" of small boats.

A contract modification was requested in order to evaluate the long-term stability and potential for scour of island fill material due to wave action and tidal currents as a result of the change in fill source and island configuration. The modification was awarded in November 1999 in the amount of $16,500.

A contract modification was requested in order to revise the project description to incorporate the recreational component and the Decker Island fill source in the environmental document for this project. The modification was awarded in March 2000 in the amount of $75,186.

Final design for the habitat islands included numerical modeling of the project to evaluate the effects of the islands on tidal hydraulics, development of design details for a groin structure at one of the island sites, preparation of plans and technical specifications. The construction documents have been completed to **a** 60%-completion level and submitted to CALFED for review. A basis of design document was also prepared and submitted to CALFED. The final Construction Documents as revised to include the latest modifications will be submitted to CALFED for approval in October 2000.

For the environmental certification, an initial study/mitigated negative declaration was prepared for the project and circulated for comments. A public meeting was requested by the local residents to discuss the project and their concerns. The public meeting was held in October 1999. The mitigated negative declaration (as revised to include the results of the latest modification) will be submitted to the responsible agency (DPR) for certification by September 2000.

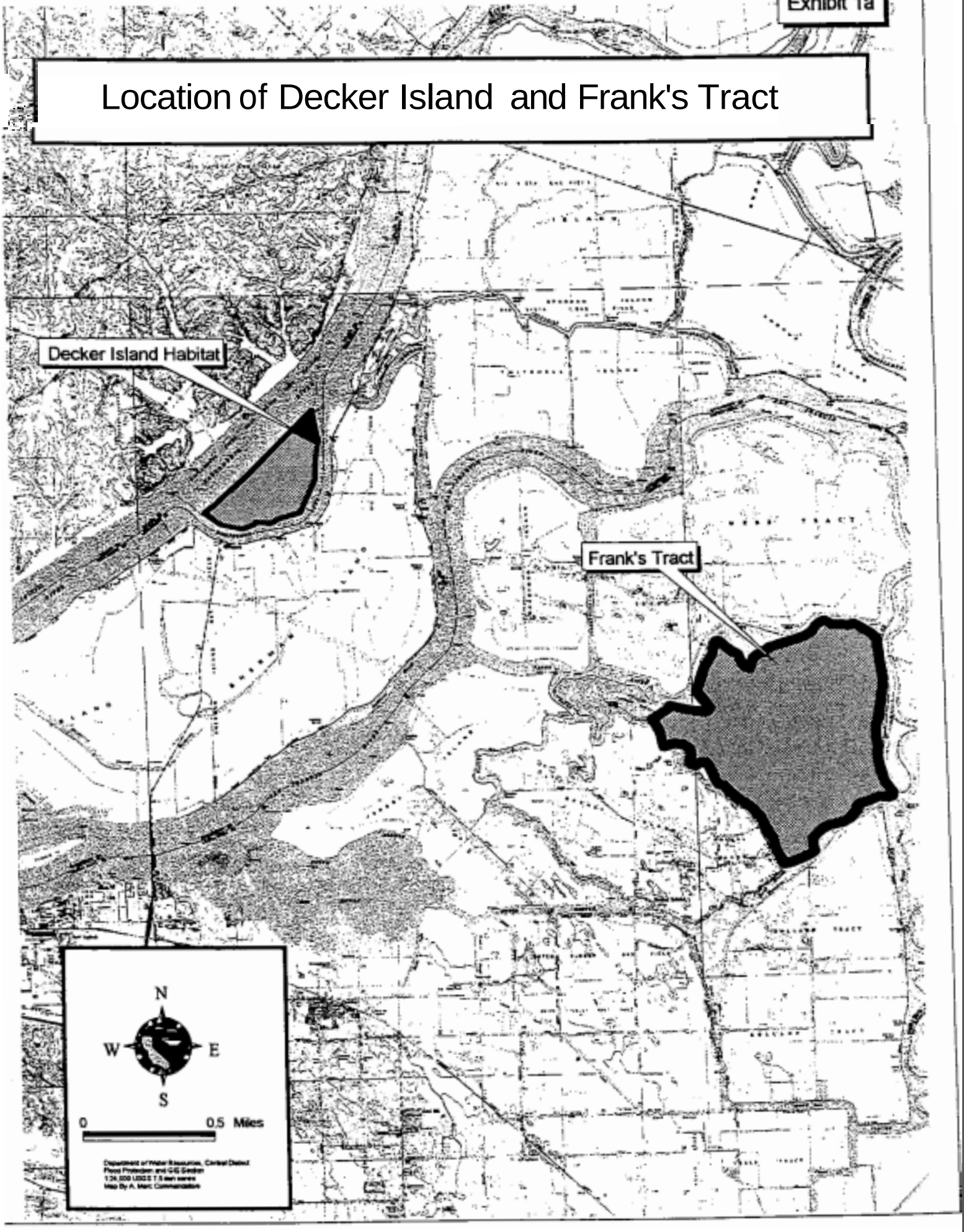
The scientific merit of the joint Franks Tract/Decker Island Wetlands Habitat Restoration Demonstration Program is to gain ground-truth data and experience for the restoration of ancestral ecosystem in the Central Delta, where relatively few restorations have been attempted in open water environment (for example, see USACE, 1990) and where there have been "pancake" fills incidental to the disposal of "new work" dredged materia). The studies to date at Franks Tract have revealed the relatively large costs associated with wetlands habitat restoration in the Central Delta due to the large volumes of material required to restore suitable intertidal elevations on the severely subsided landforms. The program seeks to demonstrate innovative engineering and restoration techniques to show how sustainable shallow-water habitat can be created in the open water environment; to create the four separate islands in a series of steps to facilitate adaptive management of the program; and to monitor both the construction and postconstruction phases to obtain maximum scientific/engineering benefits as well as direct ecosystem benefits. Planning for future restoration projects in the open-water environment of the Central and West Delta[1] will benefit from the outcome of this project.

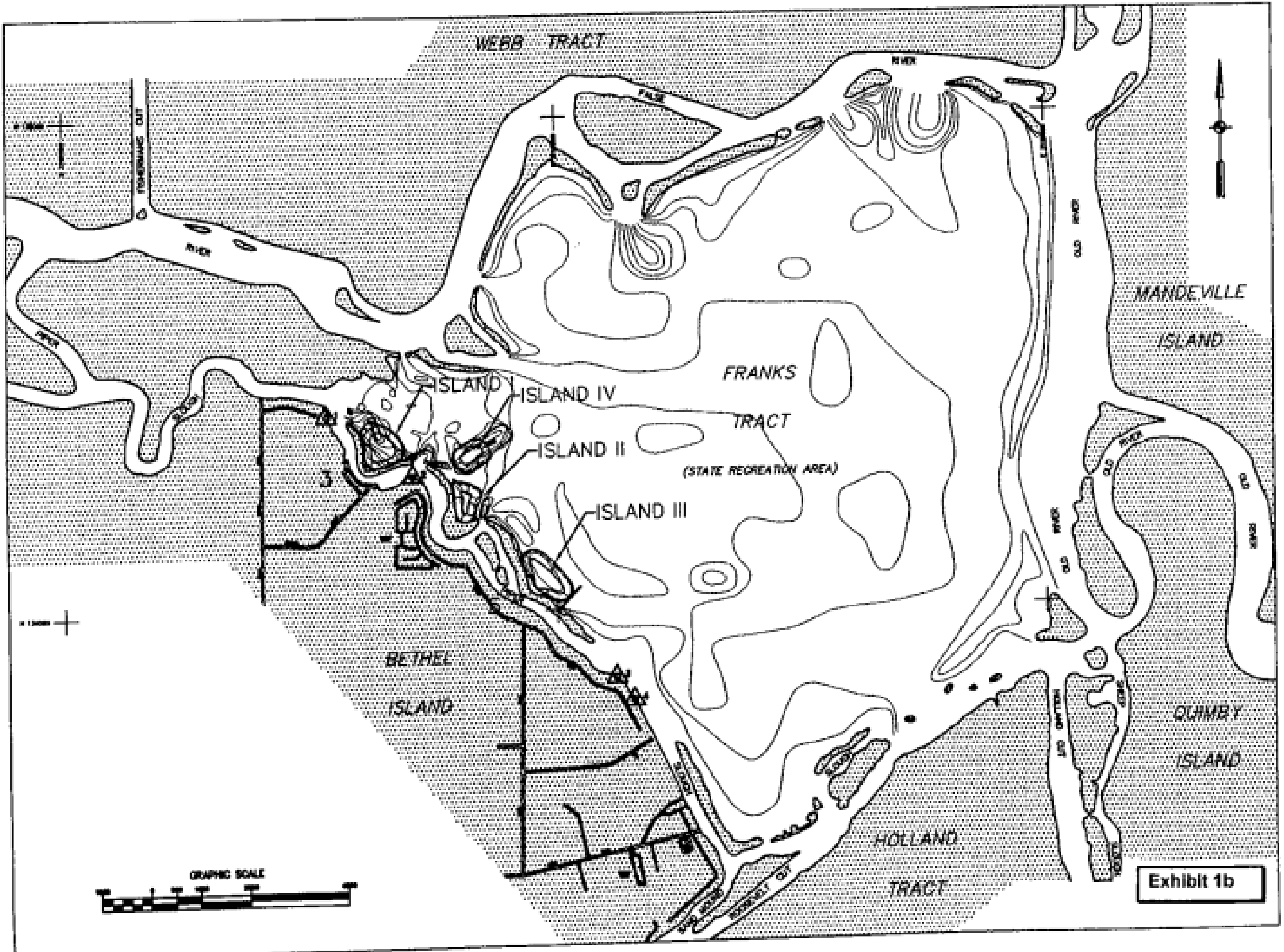
[1] Similar projects are being initiated at Lower Sherman Lake and Big Break. as well as augmentation of this initial effort at Franks Tract.

APPENDIX-B. EXHIBITS

Exhibit 1a

Location of Decker Island and Frank's Tract





WEBB TRACT
MANDEVILLE
ISLAND
FRANKS
TRACT
(STATE RECREATION AREA)
ISLAND I
ISLAND IV
ISLAND II
ISLAND III
BETHEL
ISLAND
QUIMBY
ISLAND
HOLLAND
TRACT
OLD RIVER
HOLLAND CUT
FISHERMANS CUT
GRAPHIC SCALE
Exhibit 1b

Exhibit 1c

DECKER ISLAND HABITAT RESTORATION PROJECT
CURRENTLY BEING DVELOPED

- SHALLOW WATER (-6' TO -5')
- RIVERINE AQUATIC BED (-5' TO -1')
- EMERGENT TIDAL MARSH (-1' TO 2')
- SHADED RIVERINE AQUATIC (2' TO 6')
- RIPARIAN FOREST (6' TO 8')
- GRASSLAND/SHRUB (8' TO -21' (PROJECT BOUNDARY))

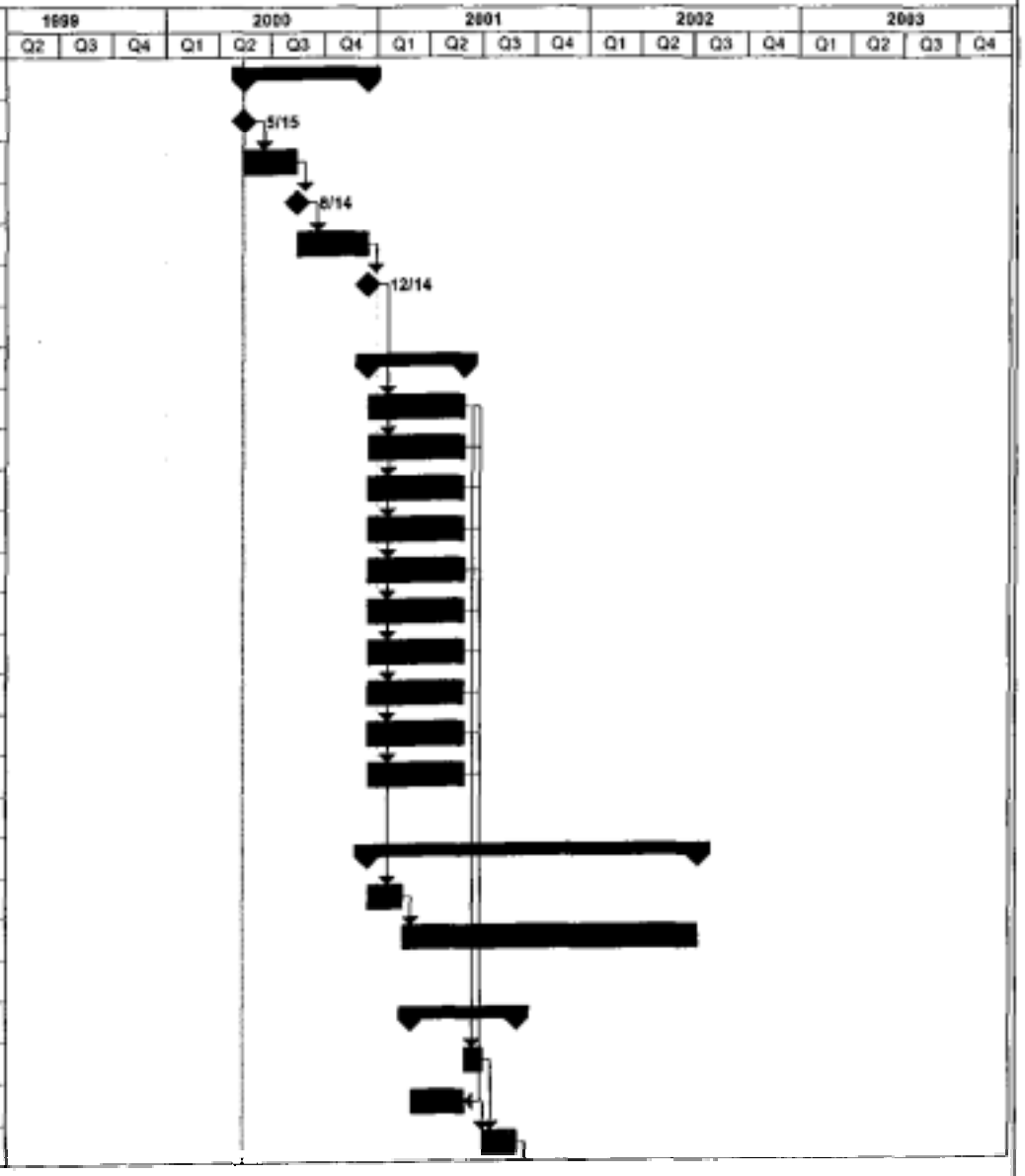
N

100 0 100 200 FEET

SCALE -- 1:2000

Franks Tract/Decker Island Wetlands Habitat Restoration
Phase's II and III: Demonstration Island Construction and Monitoring

ID	Task Name
1	**2001 Proposal Solicitation Process**
2	Submit Funding Request Proposal
3	CALFED Review of Proposal
4	Notification of Selection
5	Contract Negotiation
6	Notice to Proceed
7	
8	**Final Permitting**
9	Continue Habitat Restoration Plan
10	Continue Section 404 Permit Process
11	Continue Section 404 (b)(1) Alternatives Analysis
12	Assist Corps w/Public Notice and Response to Comments
13	Assist w/Federal ESA Compliance
14	Assist w/State ESA Consultations
15	Assist w/Section 401 Compliance
16	Assist w/Section 106 Compliance
17	Assist w/Streambed Alteration Agreement Section 1601 Process
18	Attend Project Team and Agency Meetings
19	
20	**eliminary Biological Monitoring**
21	Prepare Specific Biological Monitoring Program
22	Perform Pre-Construction Monitoring
23	
24	**nal Design of Decker Island**
25	Revise Final Design to Incorporate Permit Requirements
26	Prepare Decker Island Grading Plan
27	Perform Design Review QA/QC



Franks Tract/Decker Island Wetlands
Phase's II&III: Demonstration Island C

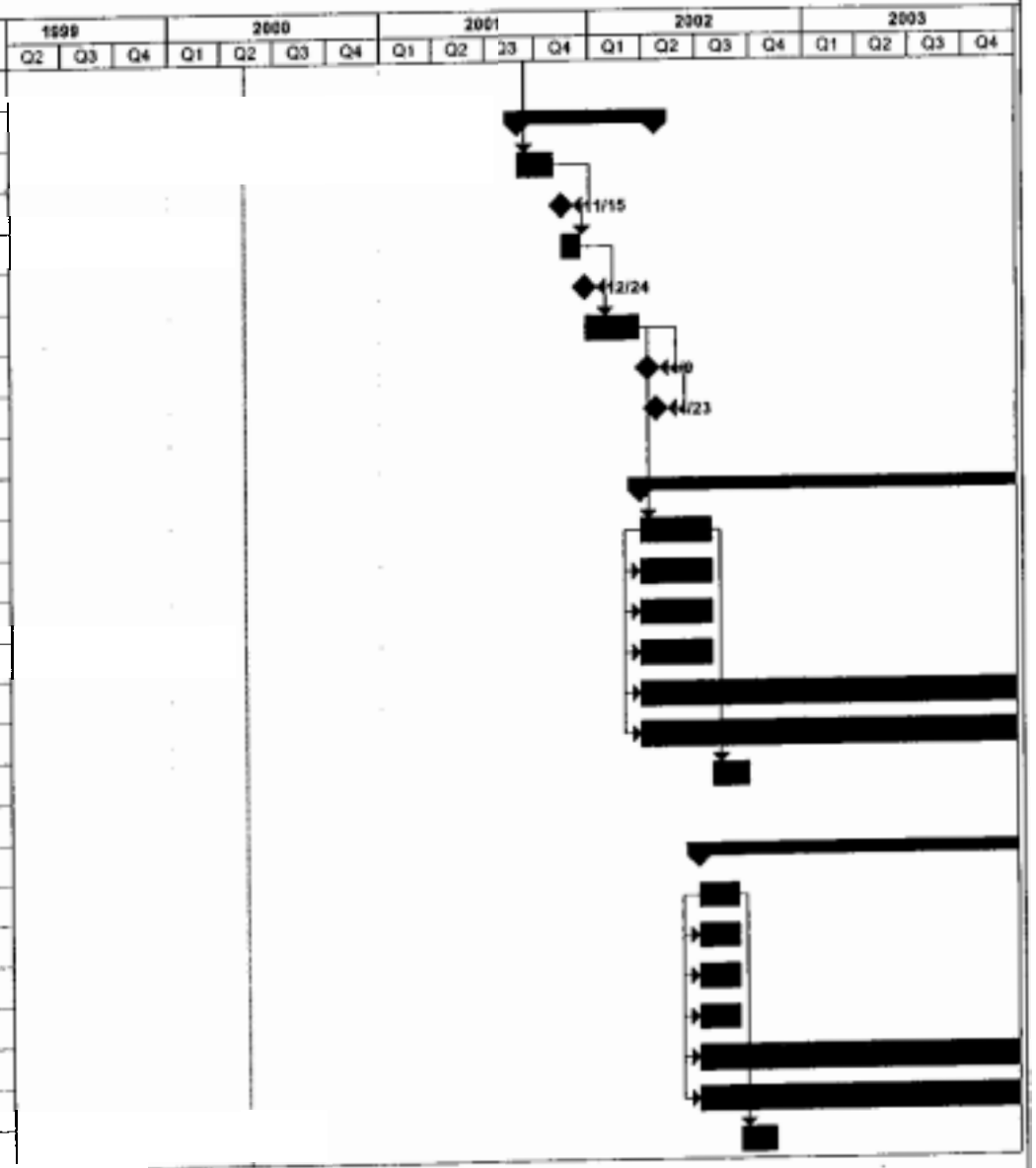
Task
Progress
Milestone
Summary
Rolled Up Task
Rolled Up Milestone
Rolled Up Progress
External Tasks
Project Summary
Split
Rolled Up Split

Date: Fri 5/12/00

EXHIBIT III

Phase's II and III: Demonstration Island Construction and Monitoring

ID	Task Name
28	
29	Solicit Construction Bids
30	Prepare Solicitation & Advertise Project for Bid
31	Conduct Pre-Bid Meeting
32	Respond to Contractor Questions & Issue Addenda
33	Conduct Bid Opening
34	Review Bids & Award Contract
35	Conduct Pre-Construction Meeting
36	Notice to Proceed with Construction
37	
38	STAGE 2 - ISLAND #1 CONSTRUCTION & MONITORING
39	Construction of Island #1
40	Construction Management & Inspection Services
41	Engineering Support
42	Geotechnical Support
43	Water Quality Monitoring (3 yrs)
44	Post-Construction Biological (Fishery) Monitoring (3 yrs)
45	Prepare Demonstration Project Evaluation Final Report
46	
47	STAGE 3 - ISLAND #2 CONSTRUCTION & MONITORING
48	Construction of Island #2
49	Construction Management & Inspection Services
50	Engineering Support
51	Geotechnical Support
52	Water Quality Monitoring (3 yrs)
53	Post-Construction Biological (Fishery) Monitoring (3 yrs)
54	Prepare Demonstration Project Evaluation Final Report



Franks Tract/Decker Island Wetlands
Phase's II/III: Demonstration Island C

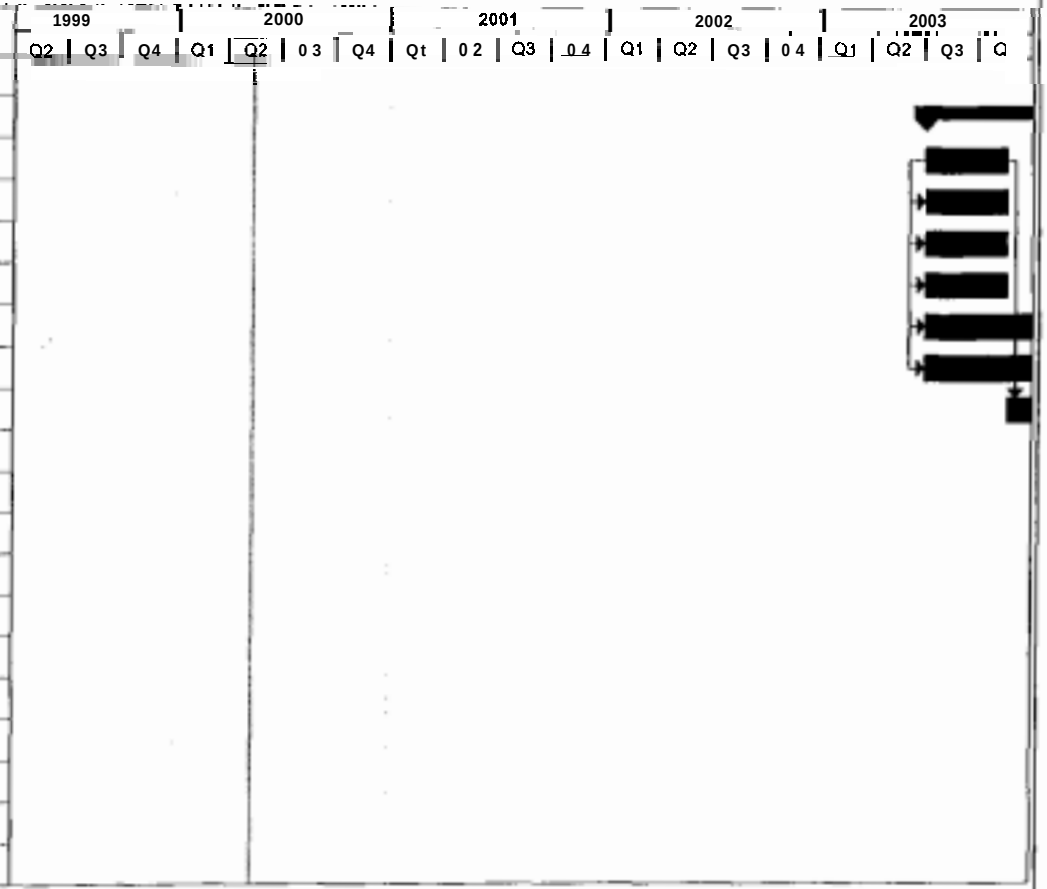
Task
Progress
Milestone
Summary
Rolled Up Task
Rolled Up Milestone
Rolled Up Progress
External Tasks
Project Summary
Split
Rolled Up Split

EXHIBIT III

Date: Fri 5/12/00

Franks Tract/Decker Island Wetlands Habitat Restoration
Phase's II and III: Demonstration Island Construction and Monitoring

ID	Task Name
55	
56	**STAGE 4 - ISLAND #3 CONSTRUCTION & MONITORING**
57	Construction of Island #3
58	Construction Management & Inspection Services
59	Engineering Support
60	Geotechnical Support
61	Water Quality Monitoring (3 yrs)
62	Post-Construction Biological (Fishery) Monitoring (3 yrs)
63	Prepare Demonstration Project Evaluation Final Report
64	
65	**STAGE 5 - ISLAND #4 CONSTRUCTION & MONITORING**
66	Construction of Island #4
67	Final Grading at Decker Island
68	Planting at Decker Island
69	Construction Management & Inspection Services
70	Engineering Support
71	Geotechnical Support
72	Water Quality Monitoring (3 yrs)
73	Post-Construction Biological (Fishery) Monitoring (3 yrs)
74	Prepare Demonstration Project Evaluation Final Report



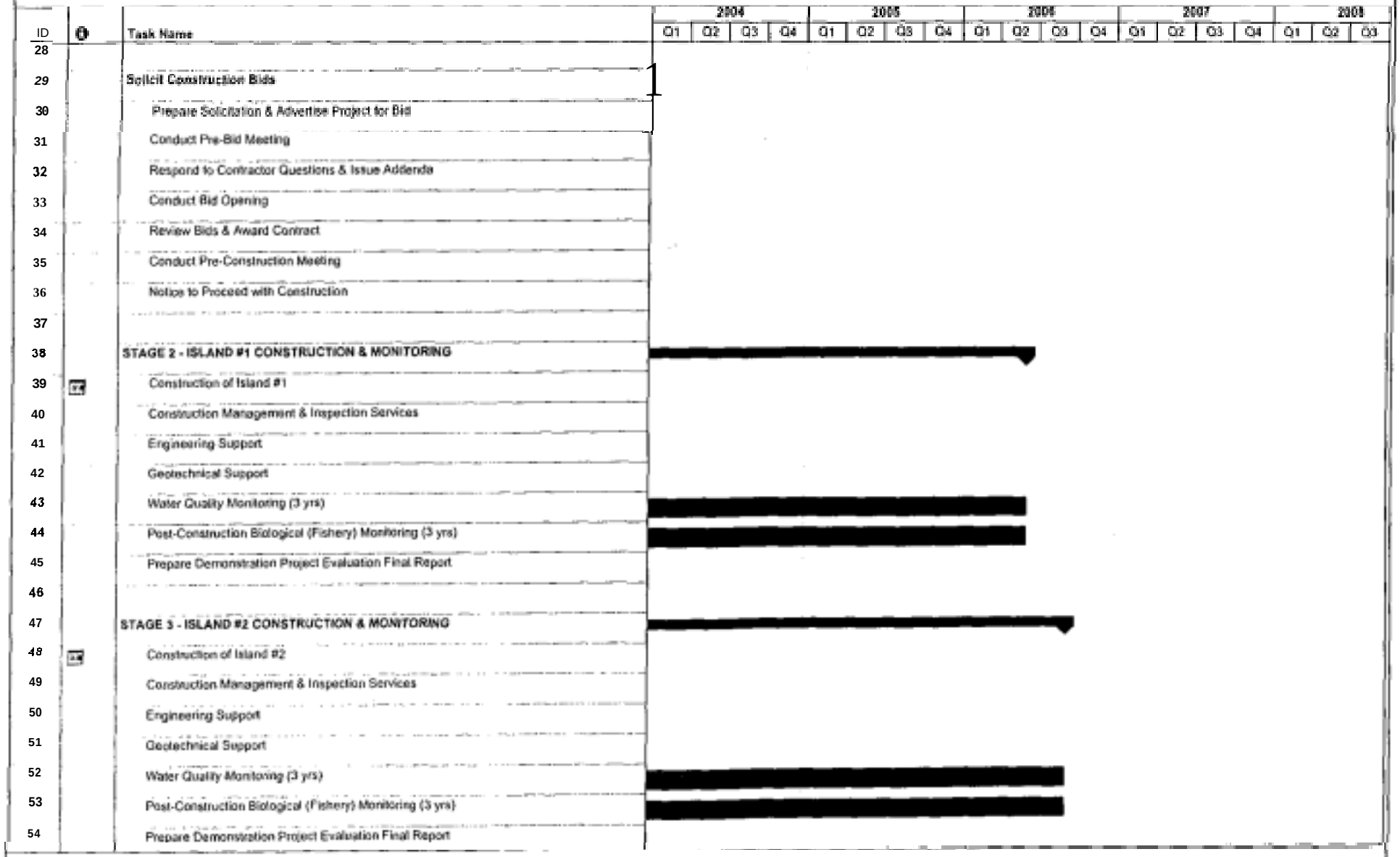
Franks Tract/Decker Island Wetlands
Phase's II&III: Demonstration Island C

Task | Summary | Rolled Up Progress | Split
Progress | Rolled Up Task | External Tasks | Rolled Up Split
Milestone | Rolled Up Milestone | Project Summary

Date: Fri 5/12/00

EXHIBIT III

Franks Tract/Decker Island Wetlands Habitat Restoration
Phase's II and III: Demonstration Island Construction and Monitoring



Franks Tract/Decker Island Wetlands
Phase's II&III: Demonstration Island C

Task | Summary | Rolled Up Progress | Split
Progress | Rolled Up Task | External Tasks | Rolled Up Split
Milestone | Rolled Up Milestone | Project Summary

Date: Fri 5/12/00

EXHIBIT III

Franks Tract/Decker Island Wetlands Habitat Restoration
Phase's II and III: Demonstration Island Construction and Monitoring

ID	Task Name
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56	**STAGE 4 - ISLAND #3 CONSTRUCTION & MONITORING**
57	Construction of Island #3
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59	Engineering Support
60	Geotechnical Support
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65	**STAGE 5 - ISLAND #4 CONSTRUCTION & MONITORING**
66	Construction of Island #4
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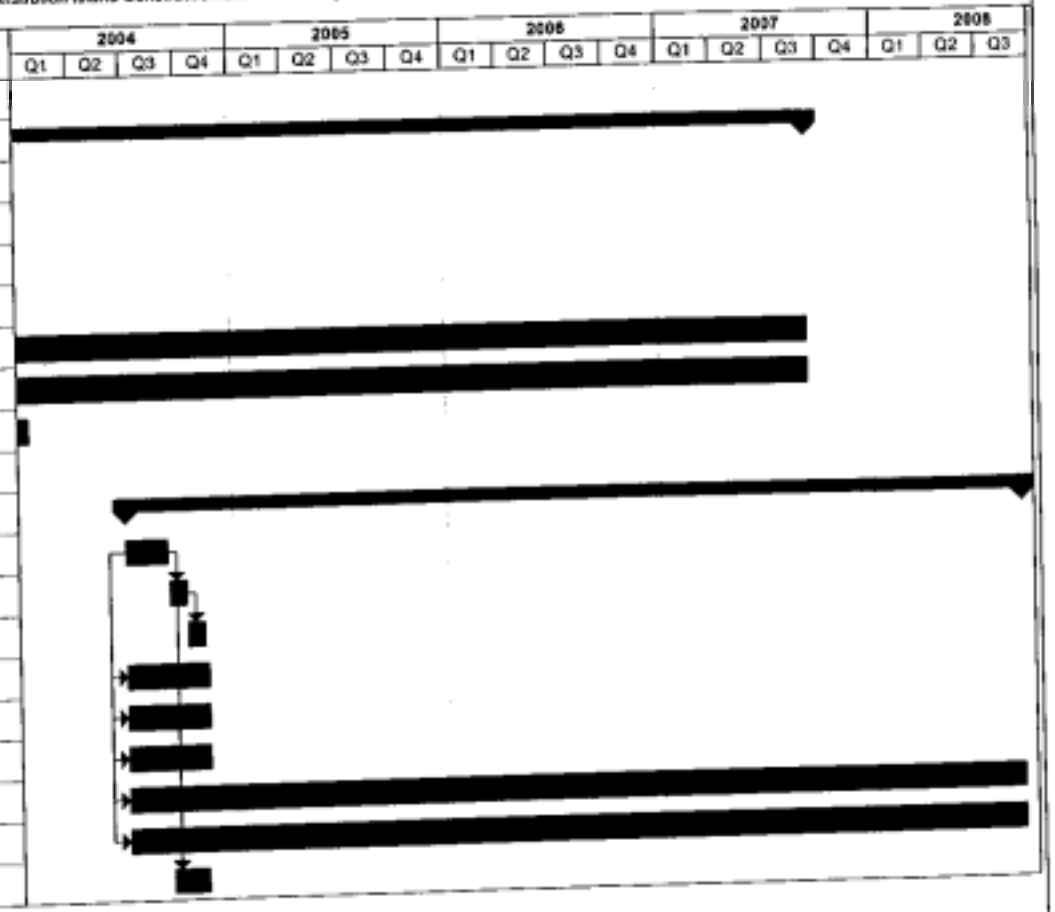

Franks Tract/Decker Island Wetlands
Phase's II&III: Demonstration Island C

Task
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